

U.S. Department of Justice



United States Attorney
Eastern District of New York

MM:EK:TK
F.#1998R01996

271 Cadman Plaza East
Brooklyn, New York 11201

March 17, 2011

TO BE FILED UNDER SEAL

The Honorable I. Leo Glasser
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Felix Sater
Criminal Docket No. 98 CR 1101 (ILG)

Dear Judge Glasser:

This letter supplements the government's March 17, 2011 letter moving for the continued sealing of certain docket entries and documents in this case, as well as the unsealing of others. Below please find a detailed chart specifically indicating where sealing or unsealing is appropriate or where docket entries should be deleted because they do not pertain to this case. In addition, the government respectfully submits that the name John Doe may be replaced with the defendant's true name, Felix Sater, throughout the docket.

Date on Docket Entry & Document #	Text of Docket Entry	Rationale for Sealing, If Applicable
12/3/98 - #1	Notice of intent to proceed under FRCrP 7(b) as to John Doe.	Entry and document can be unsealed.
12/3/98	Magistrate Chrein selected by random to handle matters in this case	Entry can be unsealed.
12/3/98	(Court only) *** Added Government attorney Jonathan S. Sack	Entry can be unsealed.

12/10/98 - #2	SEALED LETTER as to John Doe placed in vault	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
12/10/98 - #18	INFORMATION as to Felix Sater (1) count(s) 1	Entry and document can be unsealed.
12/10/98 - #92	Minute Entry for Plea Agreement Hearings as to Felix Sater held before Senior Judge Leo Glasser	Entry and document can be unsealed.
12/10/98 - #93	WAIVER OF INDICTMENT by Felix Sater	Entry and document can be unsealed.
1/6/98	(Court only) *** Procedural Interval start as to Felix Sater	Entry can be unsealed.
1/19/99 - #4	SEALED CALENDAR as to John Doe. Date of sealing 1/6/99	Entry and document can be unsealed. However, in document 4-1 the address of Viktoria Sater should be redacted, pursuant to Fed.R.Crim.P. 49.1(a).
2/17/99 - #19	Letter as to Felix Sater in regards to Notice of Change in Firm Name	Entry and document can be unsealed.
3/11/99 - #5	SEALED DOCUMENT (letter) as to John Doe	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
3/11/99 - #21	ORDER as to Felix Sater. Ordered by Judge Glasser on 3/4/99	Docket entry may itself be unsealed. Document should be sealed as it mentions a conversation between defense counsel and a law enforcement agent.
7/8/99 - #22	ORDER as to Felix Sater. Ordered by Judge Glasser on 7/8/09	Docket entry may itself be unsealed. Document should be sealed as it mentions a conversation between

	3	defense counsel and a law enforcement agent.
10/27/99 - #6	SEALED LETTER as to John Doe (Entered 10/27/99)	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
1/26/00 - #7	SEALED LETTER dated 1/26/00 (Entered 1/28/00)	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
5/18/00 - #8	SEALED LETTER dated 5/15/00 as to John Doe in 1:98-cr-01101	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
5/25/00	CALENDAR ENTRY as to Frank Coppa Sr, Daniel Persico, Jack Basile, John Cioffoletti, et al. in 1:00-cr-0096. Case called before Magistrate Joan M. Azrack on 3/2/00 for Arraignment	Entry should be removed as it does not pertain to this case.
8/9/00 - #23	NOTICE of Unavailability as to Felix Sater (Entered 7/16/09)	Entry and document can be unsealed.
11/8/00 - #40	NOTICE of Unavailability from Nov 19-26, 2000, filed by Myles Malman (Entered 6/24/10)	Entry and document can be unsealed.
12/27/00	LETTER dated 12/12/00 from Melinda Sarafa to Judge Glasser to confirm adjournment of sentencing to 12/20/00 as to Aleks Paul	Entry should be removed as it does not pertain to this case.
5/1/01 - #24	NOTICE of Change of Address of firm by Felix	Entry and document can be unsealed.

	Sater (Entered 7/16/09)	
6/6/01	ORDER so ordering Mr. DiBlasi's request for permission for his client Alfred Palagonia to travel to Puerto Rico June 11-16 (Signed by Judge Glasser on 6/6/01)	Entry should be removed as it does not pertain to this case.
6/18/01 - #25	NOTICE of Unavailability as to Felix Sater (Entered 7/16/09)	Entry and document can be unsealed.
7/16/01	LETTER sent to docketing dated 7/12/01 from Melinda Sarafa to Judge Glasser confirming that sentencing is adjourned to 7/25/00	Entry should be removed as it does not pertain to this case.
7/31/01 - #9	LETTER dated 7/20/01 from Melinda Sarafa to Judge Glasser confirming conversation with Louise Schillat that Mr. Paul's sentencing has been adjourned to 7/31/01	Entry and document should be removed as they do not pertain to this case.
10/2/01 - #26	ORDER as to Felix Sater allowing Travel	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
11/16/01 - #10	ORDER as to John Doe unsealing the guilty plea transcript	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
11/29/01	CALENDAR ENTRY as to Edmond Nagel	Entry should be removed as it does not pertain to this case.
11/29/01	Sentencing as to Edmond Nagel held on all counts	Entry should be removed as it does not pertain to this case.
11/30/01	DISMISSAL of Count(s) on	Entry should be

	Government Motion as to Edmond Nagel	removed as it does not pertain to this case.
11/30/01	JUDGMENT Edmond Nagel; IMPRISONMENT: 37 months	Entry should be removed as it does not pertain to this case.
12/5/01	Proposal Voir Dire Questions by USA as to Lawrence Ray	Entry should be removed as it does not pertain to this case.
1/3/02	ORDER as to Daniel Lev, granting his request for permission to extend trip to Russia.	Entry should be removed as it does not pertain to this case.
1/3/02	(Court only) ** Added for Daniel Lev attorney Jeffrey H. Lichtman	Entry should be removed as it does not pertain to this case.
1/8/02 - #11	SEALED DOCUMENT as to John Doe	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
6/21/02 - #12	LETTER dated 6/20/02 from AUSA David Pitofsky to Clerk of the Court	Entry and document should be removed as they do not pertain to this case.
7/12/02	ORDER as to John Doukas, granting an extension to July 31, 2002	Entry should be removed as it does not pertain to this case.
3/25/03 - #13	SEALED DOCUMENT as to John Doe	Docket entry may itself be unsealed. Document should be sealed because it mentioned the defendant's travel at the request of the FBI.
4/29/03	Certified and transmitted Record on Appeal to US Court of Appeals as to Frank Coppa Sr.	Entry should be removed as it does not pertain to this case.
5/8/03	LETTER dated 5/6/03 from Eric Corngold to Judge Glasser	Entry and document should be removed as they do not pertain to this case.

5/27/04 - #14	NOTICE of unavailability: Counsel Myles Malman, from 6/28/04 to 7/9/04	Entry and document can be unsealed.
7/22/04 - #15	Letter dated 7/19/04 from Myles Malman to Ms. Johnson, confirming that sentencing of defendant has been rescheduled to 9/9/04	Entry and document can be unsealed.
9/1/04 - #27	ORDER as to Felix Sater allowing travel	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
9/10/04 - #16	SEALED DOCUMENT PLACED IN VAULT	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
2/3/05 - #28	ORDER as to Felix Sater allowing travel	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
5/18/05 - #39	NOTICE of unavailability filed by Myles Malman	Entry and document can be unsealed.
9/23/05 - #17	SEALED DOCUMENT PLACED IN VAULT	Docket entry may itself be unsealed. Document should be sealed as it explicitly mentions cooperation.
8/22/08	(Court only) Case ordered from Lee's Summit National archives for Magdalena St. Surin on Aug 22, 2008	Entry can be unsealed.
10/14/08	(Court only) Case returned to Archives 10/7/08	Entry can be unsealed.
2/17/09 - #20	ORDER as to Felix Sater	Entry and document can be unsealed.
7/16/09	Attorney update in case as	Entry can be unsealed.

	to Felix Sater. Attorney Todd Kaminsky for USA, Leslie R Caldwell for Felix Sater added. Attorney Jonathan S. Sack terminated	.
7/16/09 - #29	Order to unseal document as to Felix Sater in order to provide copies to the Government	Entry and document can be unsealed.
7/16/09 - #30	NOTICE OF ATTORNEY APPEARANCE: Kelly Anne Moore appearing for Felix Sater	Entry and document can be unsealed.
7/16/09 - #31	NOTICE OF ATTORNEY APPEARANCE: Leslie R Caldwell appearing for Felix Sater	Entry and document can be unsealed.
8/31/09 - #32	Letter as to Felix Sater to Judge Glasser filed by Defense Counsel	Entry and document can be unsealed.
10/9/09 - #33	ORDER adjourning sentencing to 10/23/09 as to Felix Sater	Entry and document can be unsealed.
10/23/09 - #34	Minute Entry for sentencing proceedings held before Judge Glasser	Entry should be unsealed but the actual minutes should remain sealed.
10/26/09 - #35	Judgment as to Felix Sater	Entry and document can be unsealed.
10/26/09 - #36	Statement of Reasons by Felix Sater Copies distributed	Entry should be unsealed but the document should remain sealed.
10/26/09	(Court only) *** Case Terminated as to Felix Sater	Entry should be unsealed.

Conclusion¹

Should the Court wish the government to provide any additional information, it will happy to do so.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By: /s
Todd Kaminsky
Elizabeth J. Kramer
Assistant United States Attorneys

¹ The government is currently compiling and assessing those entries and documents that were made and received subsequent to the defendant's sentencing. Accordingly, the government will provide a supplemental chart to the Court.